



Honorable Linda B. Riegle  
United States Bankruptcy Judge



Entered on Docket

November 29, 2011

LEWIS AND ROCA LLP

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**ORDER SUSTAINING EIGHTEENTH  
OMNIBUS OBJECTION OF USACM  
LIQUIDATING TRUST TO DUPLICATE  
PROOFS OF CLAIM**

Hearing Date: November 15, 2011

Hearing Time: 9:30 a.m.

The Court having considered the Eighteenth Omnibus Objection Of USACM Liquidating Trust To Duplicate Proofs Of Claim [DE 9395], (the "Objection"); at the hearing held on November 15, 2011; appropriate notice of the Objection having been given; no responses having been filed; and good cause appearing:

**IT IS ORDERED:**

1. The Objection [DE 9395] is sustained; and

1           2.     The Proofs of Claims listed on **Exhibit A** are disallowed to the extent they  
2 are duplicative of another Proof of Claim filed by the same claimant as indicated on  
3 Exhibit A attached.

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5  
6 PREPARED AND RESPECTFULLY SUBMITTED BY:

7  
8 **LEWIS AND ROCA LLP**

9 By /s/ John Hinderaker (AZ #018024)

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14 *Attorneys for USACM Liquidating Trust*  
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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input checked="" type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**USACM Trust****Duplicate Claims****Exhibit A**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Claimants Name and Address</b>	<b>Direct Lender Loan</b>	<b>Total Claim Amount</b>	<b>Amount Subject to Objection</b>	<b>Grounds for Objection</b>
10725-00318	10/4/2006	Pedro L & Carol A Barroso Trust Dtd 11/29/90 Pedro Luis & Carol Ann Barroso Ttee 3231 Cambridgeshire St Las Vegas, NV 89146-6223	Cabernet Highlands, LLC	168,017.76	25,000.00	Duplicate of 10725-01800
10725-00319	10/4/2006	Pedro L & Carol A Barroso Trust Dtd 11/29/90 Pedro Luis & Carol Ann Barroso Ttee 3231 Cambridgeshire St Las Vegas, NV 89146-6223	Cabernet Highlands, LLC	168,017.76	25,000.00	Duplicate of 10725-01800
10725-00844	11/13/206	Premiere Holdings Inc Defined Benefit 10120 W. Flamingo, Suite 4-12 Las Vegas, NV 89147	Placer Vineyards II	380,000.00	30,000.00	Duplicate of 10725-01277
10725-00866	10/31/2006	Stephen Family Trust Dtd 3/22/84 C/O Roy M & Carol J Stephen Ttees 1214 Yucca Cir St George, UT 84790-7551	Amesbury Hatters Point	127,856.98	73,993.00	Duplicate of 10725-02530
10725-00994	11/6/2006	Sterling, Tom 213 Royal Aberdeen Way Las Vegas, NV 89144	Fiesta Oak Valley	50,000.00	50,000.00	Duplicate of 10725-01170
10725-00996	11/6/2006	Sterling, Tom 213 Royal Aberdeen Way Las Vegas, NV 89134	Placer Vineyards II	25,000.00	25,000.00	Duplicate of 10725-01176
10725-01582	12/8/2006	Teeter, Norman 5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	Fiesta Oak Valley	136,246.00	20,500.00	Duplicate of 10725-02275

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10725-02416	1/22/2007	Topp, Gerry P.O. Box 3008 Grass Valley, CA 95945	Fiesta Oak Valley	521,406.20	50,000.00	Duplicate/Amended by 10725-02416-2
10725-00517	10/18/2006	Wallace III, William C & Ann Marie K Christopher D Jaime Esq Po Box 30000 Maupin Cox & Legoy Reno, NV 89520	Amesbury Hatters Point	50,000.00	50,000.00	Duplicate of 10725-00662
10725-01693	12/11/2006	Westbrook, Connie 14320 Ghost Rider Dr Reno, NV 89511	Cabernet Highlands	22,995.75	11,457.29	Duplicate of 10725-01922
10725-01640	12/11/2006	Winkler IRA, Rudolf 4201 Via Marina, Suite 300 Marina Del Rey, CA 90292	Amesbury Hatters Point	80,474.00	80,474.00	Duplicate of 10725-02278
10725-00719	10/25/2006	Yonai Trustee, Gregory D 1982 County Cove Ct Las Vegas, NV 89135-1552	Fiesta Oak Valley	22,896.16	8,215.28	Duplicate of 10725-00983